THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.15825 of 2006

15.9.2006

Between:

Karam Devudamma, W/o.Veeranna Dora

... Petitioner

AND

The Revenue Divisional Officer, Rampachodavaram, E.G.District
And others

... Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.15825 of 2006

ORDER:

The petitioner is resident of Chinnabhimili, H/o.Indukuru of Devipatnam Mandal in East Godavari District. He filed the instant writ petition seeking a writ of Mandamus declaring the action of the first respondent, namely, the Revenue Divisional Officer, Rampachodavaram (RDO), in purchasing the land admeasuring Acs.2.00 in survey No.175 and land admeasuring Acs.2.40 in survey No.177 of Indukuru Village from respondents 3 and 4 and threatening to evict Scheduled Tribes (STs) including the petitioner in possession of the land by coercive action as illegal, unlawful and to set aside the purchase made by the first respondent.

It is the case of the petitioner that the first respondent purchased the land of the respondents 3 and 4, who have not made out any grievance for redressal. Therefore, on the principle of *jus tertaii*, the writ petition is not maintainable. Secondly, the petitioner seeks a direction to set aside the purchase made by the first respondent. Such a relief cannot be granted in a writ petition and filing a suit in civil court is a proper remedy. Therefore, this Court is not inclined to admit the writ petition. However, liberty is given to the petitioner to make a representation to the District Collector, East Godavari District (Vigilance Cell), who shall conduct enquiry into the allegations made against the first respondent. If it is found that the officials are

purchasing the land in tribal areas in contravention of A.P. Schedule Areas Land Transfer Regulation 1959 as amended by regulation 1 of 1970, the District Collector should immediately initiate action for resumption of the land and also take appropriate action against erring officials. Except making this observation, no relief can be granted to the petitioner.

The writ petition is accordingly dismissed. No costs.

September 15, 2006. (**V.V.S.RAO, J**)

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